

an appointment to inspect the comments by calling (202) 874-5043.

Alexander T. Hunt, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** You can request additional information or a copy of the collection from Jessie Dunaway, OCC Clearance Officer, or Camille Dixon, (202) 874-5090, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** The OCC is requesting extension of OMB approval, with revision, of the following information collection:

*Title:* Assessments—12 CFR part 8.  
*OMB Number:* 1557-0223.

*Description:* The National Bank Act authorizes the OCC to collect assessments, fees, and other charges as necessary or appropriate to carry out the responsibilities of the OCC. The OCC will require national banks to provide the OCC with receivables attributable data from independent credit card banks, that is, national banks that primarily engage in credit card operations and are not affiliated with a full service national bank. Receivables attributable are the total amount of outstanding balances due on credit card accounts owned by an independent credit card bank (the receivables attributable to those accounts) on the last day of an assessment period, minus receivables retained on the bank's balance sheet as of that day. The OCC will use the information to verify the accuracy of each bank's assessment computation and to adjust the assessment rate for independent credit card banks over time.

*Type of Review:* Revision of a currently approved information collection.

*Affected Public:* Businesses or other for-profit (national banks).

*Estimated Number of Respondents:* 35.

*Estimated Total Annual Responses:* 70.

*Frequency of Response:* Semiannually.

*Estimated Time per Respondent:* 1 hour.

*Estimated Total Annual Burden:* 70 hours.

Dated: September 12, 2001.

**Mark J. Tenhundfeld,**

*Assistant Director, Legislative and Regulatory Activities Division.*

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## DEPARTMENT OF THE TREASURY

### Customs Service

[T.D. 01-66]

#### Cancellation of Customs Broker License

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** Customs broker license cancellation.

**SUMMARY:** Pursuant to section 641 of the Tariff Act of 1930, as amended, (19 U.S.C. 1641) and the Customs Regulations (19 CFR 111.51), the following Customs broker license is canceled without prejudice.

*Name:* Eagle USA Import Brokers, Inc.

*License #:* 16774.

*Port Name:* Dallas/Ft. Worth, TX.

Dated: September 6, 2001.

**Bonni G. Tischler,**

*Assistant Commissioner, Office of Field Operations.*

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## DEPARTMENT OF THE TREASURY

### Customs Service

[T.D. 01-65]

#### Delegation of Authority To Acknowledge Waivers of the Statute of Limitations

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** General notice.

**SUMMARY:** This notice announces that, effective January 1, 2001, Customs Headquarters has delegated to Fines, Penalties and Forfeitures ("FP&F") Officers in the servicing Customs ports the authority, with a noted exception, to acknowledge waivers of the statute of limitations from parties who might otherwise be entitled to assert the statute of limitations as a defense against civil suit. The delegated authority does not extend to situations where the FP&F Officer has already referred to Customs Headquarters a pending petition, supplemental petition, offer, or other matter relating to an existing penalty or forfeiture case.

**DATES:** The delegation of authority to acknowledge waivers of the statute of limitations went into effect January 1, 2001.

**ADDRESSES:** Corporations and individuals submitting statute of limitations waivers should address the waivers to the Fines, Penalties and

Forfeitures Officer of the servicing Customs port.

**FOR FURTHER INFORMATION CONTACT:** Alan Cohen, Penalties Branch, Office of Regulations and Rulings, U.S. Customs Service, (202) 927-1503.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 621 of the Tariff Act of 1930, as amended (19 U.S.C. 1621), is the statute of limitations for the Government to initiate judicial proceedings to enforce the collection of a monetary penalty or forfeiture of property accruing under the customs laws. Pursuant to 19 U.S.C. 1621, the Government, as a general rule, must initiate such judicial proceedings within 5 years from the time that an alleged offense is discovered, or in the case of forfeiture, within 2 years after the time when the involvement of the property in the event was discovered, whichever is later. For non-fraudulent violations of 19 U.S.C. 1592 or 1593a, however, the Government must initiate judicial proceedings within 5 years from the date of the alleged violation. For violations of 19 U.S.C. 1592 or 1593a arising out of fraud, the Government must commence suit within 5 years from the date of discovery of fraud.

The administrative procedures established by 19 U.S.C. 1592(b) and 1618, and implemented by parts 162 and 171 of the Customs Regulations (19 CFR parts 162 and 171), set forth the manner by which certain penalty and forfeiture actions are processed. In certain circumstances, Customs will shorten the time in which a party has to provide information to Customs or petition for relief in order to ensure that Customs can administratively pursue the penalty or forfeiture action before the statute of limitations expires. For example, §§ 162.78(a) and 171.2(e) of the Customs Regulations (19 CFR 162.78(a) and 171.2(e)) provide a Fines, Penalties & Forfeitures ("FP&F") Officer with authority to shorten the time a party has to respond to pre-penalty and penalty notices if there is a short period of time remaining before the statute of limitations expires.

A party may wish to waive the statute of limitations for a period of time so that the administrative process may continue in an orderly fashion. A waiver of the statute of limitations may provide a party with additional time to respond to a pre-penalty, penalty or seizure notice, and promote final disposition of the matter by administrative means without resorting to judicial action.

In T.D. 69-126, dated May 20, 1969, at paragraphs (1)(A)(b)(2) and (3), the